

571

ORDER OF THE GOVERNOR OF HARYANA

In exercise of the powers conferred by sub-section(I) of section 432 of the code of Criminal procedure, 1973, the Governor of Haryana hereby grants special remission to the prisoners who have happened to be confined in Jails in the State of Haryana on 2nd October, 1996 and who have been convicted by Civil Courts of Criminal Jurisdiction in the State of Haryana on the occasion of Gandhi Jayanti. The remission is granted on the following scales:-

- | | |
|---|----------|
| i) Prisoners sentenced to imprisonment for more than ten years or for life. | 6 months |
| ii) Prisoners undergoing sentence of more than 5 years and upto 10 years. | 4 months |
| iii) Prisoners undergoing sentence of more than 2 years and upto 5 years. | 2 months |
| iv) Prisoners undergoing sentence of not more than 2 years. | 1 month |

Provided that

- (K)
- i) No remission will be granted to persons convicted of either rape or dowry death, abduction of a child below 14 years and his murder.
 - ii) No remission will be granted to persons convicted under N.D.P.S/T.D.A.A, abduction, unnatural offences robbery, decoity and official secret Act.
 - iii) The remission will not exceed 1/4th of the period of sentence.

Remission will also be granted to all the convicts who were on parole/furlough from the Jail on 2nd October, 1996 subject to the condition that they surrender at the Jails on the due date after the expiry of parole/furlough period for undergoing the unexpired portion of their sentence.

3. Sentence of imprisonment imposed in default of payment of fine shall not be treated as substantive for the purpose of grant of this remission.

4. All prisoners convicted by Civil Courts of criminal Jurisdiction in Haryana but undergoing their sentences in Jails outside Haryana shall be entitled to the grant of remission on the above scale.

5. The remission will not be admissible to:-

- i) Detenués of any class.
- ii) The persons sentenced under the Foreigners Act, 1948 and the Passport Act, 1967.
- iii) Pakistani Nationals.
- iv) The persons sentenced under section 2&3 of the Criminal Law Amendment Act, 1961 and Section 121 to 130 of the Indian Penal Code, 1860.
- v) The persons sentenced under section 3, 4, 5, 6, to 10 of the official secret Act, 1923.
- vi) The persons imprisoned for failing to give Security for keeping peace for their good behaviour under Section 107, 109 of the Criminal Procedure Code, 1973.
- vii) The persons who committed any major offence during last two years and were punished for the same under the relevant provisions of Punjab Jail Manual, and

2.

The grant of this remission to life convicts will not effect the provision of Section 433-A Cr.P.C.

Dated Chandigarh, the
29/10/96

K.G. Verma
Financial Commissioner & Secy. to Govt
Haryana, Jails Department.

No. 41/3/91-1JJ(II)

Dated. 31-10-96

A copy is forwarded to all State Governments and Union Territories Administration in the Indian Union, for information and necessary action.

Shau Singh 31/10/96
Under Secretary Jails & Judicial,
for Financial Commissioner & Secy. to Govt.,
Haryana, Jails Department. 31/10

No. 41/3/91-1JJ(II)

Dated. 31-10-96

A copy is forwarded to the Secretary to Govt. of India, Ministry of Home, New Delhi for information.

Shau Singh 31/10/96
Under Secretary Jails & Judicial,
for Financial Commissioner & Secy. to Govt.,
Haryana, Jails Department. 31/10

Endst. No. 41/3/91-1JJ(II)

Dated. 31-10-96

A copy each is forwarded to the following for information and necessary action:-

1. The Director General of Prisons, Haryana, Manimajra, Chandigarh.
2. The Superintendents of all Central Jails, District Jails and Sub Jails in the State of Haryana.

Shau Singh 31/10/96
Under Secretary Jails & Judicial,
for Financial Commissioner & Secy. to Govt.,
Haryana, Jails Department. 31/10

Internal Distribution
Secy/PSCM/CM
PS/OSD/CM
Secy/HM
PS/FCH
PA/JSH II